

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA)
)
)
v.) **No. 08-CR-181**
)
)
MARIO S. LEVIS)
)
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**DEFENDANT'S MOTION TO COMPEL DISCLOSURE OF A
WITNESS LIST, EXHIBIT LIST, AND RULE 404(b) EVIDENCE
NOT LATER THAN NINETY (90) DAYS PRIOR TO TRIAL**

Defendant **MARIO S. LEVIS**, through undersigned counsel, respectfully moves this Court, pursuant to Fed. R. Crim. P. 7(f) and 16, Fed. R. Evid. 404(b) and the Due Process Clause of the Fifth Amendment, for an order compelling the government to provide him, no later than **ninety (90) days** prior to trial, with the following: A) a witness list; B) an exhibit list; and C) specific notice of Rule 404(b) evidence.

The government, through AUSA Christopher Garcia, has agreed to provide this information **thirty (30) days** prior to trial, which undersigned counsel believes is insufficient for them to be adequately prepared to effectively defend Mr. Levis at trial. Accordingly, Mr. Levis respectfully seeks an Order compelling earlier disclosure. In support of these requests, the defendant is filing, contemporaneously herewith, a Memorandum of Law, with exhibits, including the Declaration of Maria D. Neyra, Esq.

Respectfully submitted,

/s Roy Black

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